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Distr.
LIMITED

E/CN.4/1994/L.27/Rev.1
24 February 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 18

RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

Albania*, Austria, Costa Rica, Croatia*, Hungary, Italy, Lithuania*, Malawi, Poland, Republic of Korea, Russian Federation, Rwanda*, Switzerland* Uruguay and Venezuela: draft resolution

The Commission on Human Rights,

Recalling General Assembly resolution 47/135 of 18 December 1992, by which the Assembly adopted without a vote the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and taking note of General Assembly resolution 48/138 of 20 December 1993,

Aware of the provisions of article 27 of the International Covenant on Civil and Political Rights concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Conscious of the need effectively to promote and protect the rights of persons belonging to minorities as set out in the Declaration,

Recalling its resolution 1993/24 of 5 March 1993 on the rights of persons belonging to national or ethnic, religious and linguistic minorities,

* In accordance with rule 69, para. 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Noting resolutions 1993/42 and 1993/43 adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities on 26 August 1993,

Acknowledging that the United Nations has an increasingly important role to play regarding the protection of minorities, by, inter alia, taking due account of and giving effect to the Declaration,

Noting the report of the Secretary-General on the implementation of Commission resolution 1993/24 (E/CN.4/1994/72 and Corr.1 and 2),

Noting with appreciation the final report (E/CN.4/Sub.2/34 and Add.1-4) of the Special Rapporteur of the Sub-Commission, Mr. Asbjørn Eide,

Concerned about the growing frequency and severity of disputes and conflicts concerning minorities in many countries and their often tragic consequences,

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, contribute to the prevention and peaceful solution of human rights problems and situations involving minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural heritage of society as a whole in the State where such persons live,

Mindful of the recommendations contained in part II, paragraphs 25 to 27 of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights,

1. Takes note with appreciation of the final report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Asbjørn Eide, on possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities;

2. Urges States to take, as appropriate, all the necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

3. Calls upon States which so wish to consider concluding bilateral and multilateral arrangements or agreements in order to protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as appropriate;

4. Urges relevant treaty bodies and special representatives, special rapporteurs and working groups of the Commission on Human Rights to continue to give due regard, within their respective mandates to the Declaration;

5. Calls upon the High Commissioner for Human Rights to give due regard, within his mandate, to the Declaration;

6. Urges the Sub-Commission on Prevention of Discrimination and Protection of Minorities to continue to give due regard, within its mandate, to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, and endorses the decision to entrust Mr. Asbjørn Eide, without financial implications, with preparing a working paper containing suggestions on the feasibility and usefulness of the preparation of a more comprehensive programme for the prevention of discrimination and protection of minorities;

7. Encourages intergovernmental and non-governmental organizations to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

8. Calls upon the Secretary-General to make available, at the request of Governments concerned, as part of the programme of advisory services and technical assistance of the Centre for Human Rights, qualified expertise on minority issues, human rights and dispute management, resolution and prevention, and to assist in existing or potential situations involving minorities;

9. Requests the Secretary-General, in the implementation of the present resolution, to provide human and financial resources for such advisory services and technical assistance of the Centre for Human Rights, within existing resources;

10. Calls upon States and the Secretary-General respectively to give due regard to the principles contained in the Declaration in training programmes for officials;

11. Invites the Secretary-General to continue the dissemination of information on the Declaration and the promotion of understanding thereof;

12. Requests the Secretary-General to seek views and information from Governments, the specialized agencies, relevant United Nations organs and bodies, regional intergovernmental organizations and bodies and non-governmental organizations and experts in all regions on issues relating to the promotion and implementation of the Declaration and to consider, if necessary, requesting the assistance of an expert or experts and/or other forms of expertise, within the framework of the existing human rights mechanisms, with a view to presenting an analytical report at its next session;

13. Decides to continue consideration of this issue and to consider the analytical report at its fifty-first session under the same agenda item.

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